

*Barry Lee and Margaret L. Green  
1919 Old York Hampton Highway  
Yorktown, Virginia 23692-4143  
757-898-7739*

May 17, 2005

Dear Members of the York County Board of Supervisors:

SUBJECT: Public Hearing re: Application No. UP-656-05, York County Little League

This letter is to serve as written documentation for the testimony submitted by adjacent landowners, Barry Lee and Margaret L. Green, regarding the above application. While we did present this testimony, orally only, to the York County Planning Commission at the April 13, 2005 public hearing, we remain concerned that no amendments were made to the application of which the Planning Commission has recommended approval. Therefore, we reiterate our concerns and place them in writing in hope that you will work toward satisfying the concerns of all affected parties. We appreciate the opportunity to have our following concerns and recommendations considered:

- That the Special Use Permit be amended to stipulate that the two ball fields and stadium lighting be used **only** for Little League baseball games.  
Justification: this will ensure and facilitate the enforcement that the use of the fields and lighting are restricted to the intended and permitted purpose.
- That the Special Use Permit be amended to define the seasons of baseball by stating in writing the exact months which apply to the lighting and use of the field for baseball.  
Justification: stating the exact months comprising the sport's seasons provides clarity to the Special Use Permit, and will clearly apprise adjacent landowners of those times in the year when a prior level of privacy will be sacrificed.
- Amend Term 5 of the application to state: "Use of the facility and lighting shall be limited to the hours between 8:00 A.M.. and 10:00 P.M.". As currently written, "(including lighting)" is editorially weak.
- Enforce compliance with Special Use Permit (UP-417-91) terms agreed to in 1992, prior to granting approval to any amendment of this Permit. Providing "screening for abutting residential properties to be installed as required by the SUP conditions" has not been done.  
Justification: Considering that "screening for abutting residential properties was **NOT** installed as required by the SUP conditions in the application of 1992", unfairly places the consequences of noncompliance upon the landowners. Compliance with the terms of the Permit is the responsibility and obligation of the applicant and enforcement needs to be properly managed by the overseeing governmental agency.

- Amend the Special Use Permit to require: <sup>*Screaming!*</sup> *"Fencing be installed to isolate the two ball fields from the abutting residential properties."*

Justification: With the loss of privacy to be encountered by a baseball season of nine months supported by stadium lighting, the lack of adequate screening and/or fencing, provisions for food services, accumulations of trash, and an unknown number of automobiles, athletes and sports fans, the potential for property disruption and devaluation should be more effectively managed with fencing so to contain and confine all of the above factors to the fields.

- Amend the Permit to include: *"Maintain a contract with a trash collector vendor, to ensure trash is removed from all property at least twice a week."*

Justification: The property needs to be kept safe for all parties: athletes, guests, and residents. The benefit of requiring the applicant to comply with minimal standards of public health safety will protect all users and landowners being impacted by this facility. As landowners, we can attest to the continual situation of being visited by many raccoons, deer, squirrel, mice, and mosquitoes. These creatures roam freely throughout the beautiful lands surrounding these baseball fields. While we have been diligent in independently maintaining a clean and safe outside environment, we are not prepared and are unable to manage a matter of animal control or any influx of mosquitoes. We are also seriously concerned with the potential impact the stadium lighting may have upon attracting an increased mosquito population, which could become a serious public health issue, as the county does not spray back on these residential properties nestled in the woods, and requested at the prior public hearing that this matter be further studied by the York County government.